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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,870	10/10/2001	Ching-Yuan Wei	3313-0388P-SP	5585
7590	06/06/2005		EXAMINER	
LOWE HAUPTMAN GILMAN & BERNER 1700 DIAGONAL ROAD SUITE 310 ALEXANDRIA, VA 22314				FLETCHER, JAMES A
		ART UNIT		PAPER NUMBER
		2616		

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/972,870	WEI, CHING-YUAN	
	<b>Examiner</b>	<b>Art Unit</b>	
	James A. Fletcher	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 January 2005.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 18-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 18-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Response to Arguments***

1. Applicant's arguments filed 27 January 2005 have been fully considered but they are not persuasive.

In re pages 5 and 6, applicant's representative states: "In this process, no computer or a CPU in a computer is needed, to save the cost for image reviewing or replaying purposes" and "The system of Beckert et al. is indeed a computer system."

The examiner respectfully disagrees. The claims, as originally written and as replaced are written as "comprising," which does not limit the prior art to only be made of the elements recited in the claim. On page 3, lines 8-13 of the specification, the applicant clearly describes functions known to be common in personal computers. On page 5, line 13, the applicant clearly calls out a microprocessor. Indeed, the specification makes no mention of the invention not requiring a processing element as argued by the applicant's representative.

### ***Claim Objections***

2. Claim 25 is objected to because of the following informalities: The claim recites that it is dependent on claim 21, which does not have adequate antecedent basis for the claimed "said another memory card." The examiner believes the claim should be dependent on claim 24, which does provide proper antecedent basis for the recited limitation. The claim will be analyzed and discussed under that belief by the examiner.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 18-19, 21, and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Beckert et al (6,202,008).

**Regarding claim 18,** Beckert et al disclose an apparatus for broadcasting digital video and audio signal, comprising:

- an optical reading and writing device (Col 4, lines 1-3 “the CD ROM drive 38 performs a dual role of storage drive and entertainment player”);
- a signal output connecting port (Col 6, lines 16-18 “The audio signal processor 96 also drives digital to analog converters for a six channel audio output”);
- a PCMCIA slot for receiving a memory card (Col 4, lines 4-6 “dual MCMCIA card sockets 44 which accept PCMCIA card types I, II, and III”);
- a digital video and audio decompressing card, connecting to the optical reading and writing device and the memory card by a data bus (Col 6, lines 12-16 : an audio signal processor 96 to perform the...Dolby pro-logic<sup>TM</sup>, AC-3 and MPEG decoding”); and
- an interface operating program, processing video and audio broadcasting operations (Col 6, lines 59-60 “The microprocessor 130 runs an open platform operating system”).

**Regarding claim 19,** Beckert et al disclose an apparatus for broadcasting digital video and audio signal, wherein the digital video and audio decompressing card comprises a digital video and audio decompressing chip (Col 6, lines 12-16 “an audio signal processor 96 to perform the...Dolby pro-logic™, AC-3 and MPEG decoding” and lines 18-19 “The audio signal processor 96 is preferably implemented as a DSP [digital signal processor]”) and a memory (Col 6, lines 27-33 “A fast data memory 110 functions as a high speed data communications buffer between the serial peripheral devices. The fast data memory is preferably implemented as a high speed SRAM...which provides high speed buffering...of audio data”).

**Regarding claim 21,** Beckert et al disclose an apparatus for broadcasting digital video and audio signal, wherein the memory comprises a video and audio broadcasting program and the interface operating program for broadcasting the video and audio signal through the signal output connecting port (Col 6, lines 59-62 “The microprocessor 130 runs an open platform operating system 131 such Windows 95® or Windows NT™ or other Windows® derivative operating systems from Microsoft Corporation” and Col 4, lines 50-51 “The computer 22 can output visual data to the LCD 54 at the faceplate, or to the monitor 24”).

**Regarding claim 23,** Beckert et al disclose an apparatus for broadcasting digital video and audio signal, wherein the memory card is a compact flash card (Col 6, line 67 – Col 7, line 3 “These applications can also be stored on the hard disk drive 132 or on a removable storage medium, such as a CD ROM, cassette, PC-Card Flash memory, PC-Card hard disk drive, or floppy diskette”).

**Regarding claim 24,** Beckert et al disclose an apparatus for broadcasting digital video and audio signal, wherein the PCMCIA slot comprises an adapter for adapting another memory card into the PCMCIA slot (Col 7, lines 9-13 "The computer module 64 has a PC-Card interface 135 which includes a PC card socket used to support types I, II, or III PC cards [e.g., extra memory, hard disk drives, modems, RF transceivers, network adapters, or other PC-Card peripherals]").

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckert et al as applied to claims above, and further in view of Kagle et al (6,601,056).

**Regarding claim 20,** Beckert et al suggest a versatile player (Col 6, lines 65-67 "The computer module 64 supports any variety of applications that the vehicle user might desire") but do not specifically disclose a player for MPEG layer 2 and layer 3 decoding.

Kagle et al teach an apparatus for broadcasting digital video and audio signal, wherein the digital video and audio decompressing chip support decompressing processes of MPEG layer 2 and layer 3 for decompressing video and audio signal which is stored in the memory card (Col 3, lines 53-58 "removable digital media output data in

the format in which it is stored. The data formats may include JPEG [Joint Photographic Experts Group], GIF [Graphics Interchange Format], TIFF [Tagged Image File Format], BMP [Bit Mapped Graphics Format], MP3, WAV audio, Real audio, etc.”).

As suggested by Beckert et al, and taught by Kagle et al, MPEG layer 2 and layer 3 decoders are well known, commercially available, and widely used decoders, providing the user with compact data storage and acceptable quality in reproduction.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Beckert et al in order to include MPEG layer 2 and layer 3 decoding.

**Regarding claim 26**, Beckert et al suggest a versatile player (Col 6, lines 65-67 “The computer module 64 supports any variety of applications that the vehicle user might desire”) but do not specifically disclose being able to identify GIF format data.

Kagle et al teach an apparatus for broadcasting digital video and audio signal, wherein the video and audio broadcasting program is able to identify GIF format stored on the memory card (Col 3, lines 53-58 “removable digital media output data in the format in which it is stored. The data formats may include JPEG [Joint Photographic Experts Group], GIF [Graphics Interchange Format], TIFF [Tagged Image File Format], BMP [Bit Mapped Graphics Format], MP3, WAV audio, Real audio, etc.”).

As suggested by Beckert et al and taught by Kagle et al, the ability to identify and reproduce GIF format data images is a well known, commercially available, and widely used technology allowing the user to take advantage of the compression, motion, and quality features of the Graphics Interchange Format.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Beckert et al to include the ability to identify and reproduce GIF format data.

7. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beckert et al as applied to claims above, and further in view of Hayakawa et al. (6,445,654).

**Regarding claim 22,** Beckert et al disclose a DVD player (Col 4, lines 11-12 "A DVD [digital video disk] player may also be included in the computer 22"), but only suggest that the player would also record (Col 4, lines 1-3 "the CD-ROM drive 38 performs a dual role of storage drive and entertainment player").

Hayakawa et al teach an apparatus for broadcasting digital video and audio signal, wherein the optical reading and writing device is a DVD device (Col 12, lines 35-36 "the compressed information are recorded n a DVD-RAM disk").

As suggested by Beckert et al and taught by Hayakawa et al, DVD recorder/players are well known, commercially available, and widely used means of storing large amounts of data in a physically compact and portable medium.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Beckert et al in order to include a DVD recorder/player/

8. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beckert et al as applied to claims above, and further in view of Jones et al (6,438,638).

**Regarding claim 25,** Beckert et al disclose the use of a variety of storage media, but do not specifically disclose the use of a secure digital card.

Jones et al teach an apparatus for broadcasting digital video and audio signal, wherein one of the memory card formats is a secure digital card (Col 2, lines 59-60 "CF-to-PCMCIA adapter 10 is a passive adapter that contains an opening that receives CompactFlash card 16").

As taught by Jones et al, secure digital cards are well known, commercially available, and widely used means of storing data in a medium that prevents disclosure to unauthorized persons and inadvertent erasure, while still providing a compact, portable medium.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Beckert et al in order to provide a means of connection to a secure digital card.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (571) 272-7377. The examiner can normally be reached on 7:45-5:45 M-Th, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAF  
19 May 2005

*[Signature]*  
James J. Groody  
Supervisory Patent Examiner  
Art Unit 262 2616